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<b>DATE:</b> <b>FROM:</b> <b>OPERATOR:</b> <b>CLIENT/MATTER:</b> <b>PAGES:</b>	October 10, 2005 Morgan S. Heller II Karen Jeffer 09777-00002 3 (including cover)	MSH

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## Comments

BTV.255986.1

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Steven W. Meyer et al.

Serial No.: 10/775,384

Filed: 2/10/2004

Title: Portable Toy and Game Device

Attorney Docket No.: 09777-00002

Group Art Unit: 3711

Examiner: Raleigh W. Chiu

☒ CERTIFICATION OF FACSIMILE TRANSMISSION

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Morgan S. Heller II

Date

Commissioner for Patents  
Alexandria, VA 22313-1450

October 10, 2005

## RESPONSE TRANSMITTAL

Transmitted herewith for filing is a Response to Election/Restriction mailed September 9, 2005.

- ☒ No additional fee is required.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 04-1588.
  - ☒ Any additional filing fees required under 37 C.F.R. §1.16.
  - ☒ Any patent application processing fees under 37 C.F.R. §1.17.

Respectfully submitted,

DOWNS RACHLIN MARTIN PLLC

By:

Morgan S. Heller II

Registration No.: 44,756

Attorneys of Record

BTV.455683.1

P277-12/00

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Alexandria, VA 22313-1450

October 10, 2005

**Response to Election/Restriction**

In response to the election/restriction requirement in the Office Action dated September 9, 2005, Applicants elect for immediate prosecution the invention of Species A of FIGS. 1A-2B, and, particularly, Claims 1-17, 20-22, 25, 26, 47, 48 and 51 on which they read, with traverse.

Respectfully submitted,

DOWNS RACHLIN MARTIN PLLC

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